

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE WILLIAMS,

Plaintiff,

v.

R. PARSELLS,

Defendant.

No. 2:22-cv-0514 KJM KJN P

ORDER

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

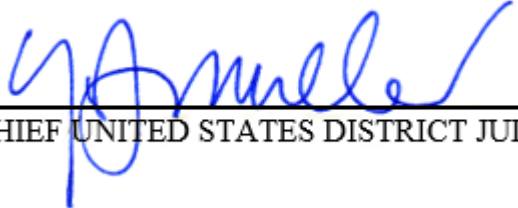
On October 23, 2023, the magistrate judge filed findings and recommendations, which were served on all parties, and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff filed objections to the findings and recommendations. Defendant filed a reply.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis. The Magistrate Judge correctly identified and balanced the relevant factors, which weigh in favor of dismissal as a sanction for plaintiffs' repeated failure to attend his deposition.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 23, 2023, are adopted in full;
2. Defendant's motion for terminating sanctions (ECF No. 41) is granted;
3. This action is dismissed with prejudice; and
4. The Clerk of Court is directed to close this case.

DATED: December 28, 2023.


CHIEF UNITED STATES DISTRICT JUDGE